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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NIPPONKOA INSURANCE CO.,
LTD., U.S. BRANCH,

Plaintiff,

vs.

TOTAL QUALITY TRANSPORT,
INC.; C.H. ROBINSON
WORLDWIDE, INC.; SMITH-CARGO
TRANSPORTATION, LLC; and DOES
1 through 20, inclusive,

Defendants.

Case No.: 2:12-CV-04963-SVW-
MANx

**ORDER OF CONDITIONAL
DISMISSAL**

JS - 6

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT
IS HEREBY ORDERED that this entire action be dismissed, with prejudice, and
with each party to bear its own costs and attorney's fees, with the Court retaining
jurisdiction over this matter for an additional forty-five (45) days from the date of
this Order of Dismissal to allow for the consummation of the settlement.

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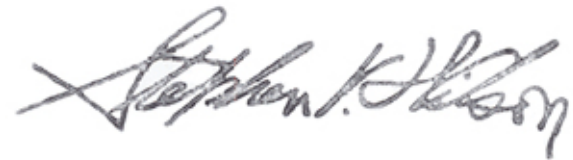
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1 In the event, there is no application to reopen this matter within 45 days,
2 then the matter is deemed unconditionally dismissed, with prejudice, with each
3 party to bear its own costs and attorney's fees.

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5 IT IS SO ORDERED.

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10 Dated: July 19, 2012



11 STEPHEN V. WILSON
12 Judge of the United States District Court
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California, am over the age of 18, and not a party to this action. My business address is 555 East Ocean Boulevard, Suite 501, Long Beach, California 90802. On July 19, 2012, I served the foregoing document(s) described as **ORDER OF CONDITIONAL DISMISSAL [PROPOSED]** on the interested parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Richard C. Moreno, Esq.
 Steven J. McEvoy, Esq.
 Lisa D. Angelo, Esq.
 MURCHISON & CUMMING, LLP
 801 S. Grand Ave., 9th Floor
 Los Angeles, CA 90017-4613

- ☐ **BY PERSONAL DELIVERY.** I delivered such envelope by hand to the offices of the addressee.
- ☐ **BY MAIL.** I caused such envelope with postage thereon fully prepaid to be placed in the U.S. Mail at Long Beach, California. I am "readily familiar" with the firm's practice of collection and processing correspondence and pleadings for mailing. Under that practice, it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Long Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY FACSIMILE TRANSMISSION.** I caused such document to be transmitted to the addressee(s) facsimile number(s) noted herein. The facsimile machine used complies with California Rule of Court 2003 and no error was reported by the machine. Pursuant to California Rules of Court 2006, et al., I caused the machine to print a transmission record of the transmission and the transmission record was properly issued by the transmitting facsimile machine.
- ☐ **BY OVERNIGHT CARRIER.** I caused such envelope(s) to be given to an overnight mail service at Long Beach, California, to be hand delivered to the office of the addressee(s) on the next business day.
- ☐ **BY E-MAIL.** Based on an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on July 19, 2012, at Long Beach, California

- ☐ **(State)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- ☐ **(Federal)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

s/_____
 Morgan H. Piercy